

FRANKLIN COUNTY
RESOLUTION NUMBER 2011-281

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3:00 PM
Franklin County Auditor

BEFORE THE BOARD OF COUNTY COMMISSIONERS, FRANKLIN COUNTY, WASHINGTON

RE: IN THE SUBJECT MATTER OF CALLING FOR AN ELECTION ON THE LEVY OF A SALES AND USE TAX FOR COUNTY AND CITIES' CRIMINAL JUSTICE AND PUBLIC SAFETY PURPOSES INCLUDING FOR THE IMPROVEMENT, EXPANSION, OPERATION, AND MAINTENANCE OF A COUNTY JAIL AND OTHER FACILITIES

WHEREAS, in Franklin County and the Cities therein there continues to be an increasing demand placed on local public safety services, facilities and the criminal justice system; and

WHEREAS, in 1980 Franklin County had a population of 35,025 and in 1990 a population of 37,473; and

WHEREAS, the Franklin County Corrections Center (County Jail) was constructed in 1984 to confine a maximum of 102 inmates (102 inmate beds); and

WHEREAS, in recent years due to increases in the County Jail inmate population averaging 190 inmates per day the County Jail has double bunked inmates increasing the jail capacity to 147 beds; and

WHEREAS, Franklin County has a current estimated population of 82,500, amounting to a 100+% increase in population since the County Jail was constructed over 25 years ago, and

WHEREAS, the County Jail has a current average inmate population of 190, amounting to a per day average of 85+ inmates beyond the facility's 1984 capacity and routinely an inmate population above the facility's current capacity; and

WHEREAS, a significant portion of the population increase has occurred in the City of Pasco and continues to do so; and

WHEREAS, the County Jail provides for the incarceration of persons arrested within both the incorporated cities' and unincorporated county areas, and thereafter sentenced to jail by all the courts in Franklin County; and

WHEREAS, the increase in local population has increased criminal caseloads for the entire local criminal justice system including the Franklin County Sheriff's Office, Prosecuting Attorney, local courts, the County Clerk's Office, and Cities' police departments all of which utilize the County Jail and serve "criminal justice purposes" per RCW 82.14.450(5); and

WHEREAS, demand for criminal justice and public safety services continues to increase due to increased traffic, growth, and development pressures that have overburdened the County Jail, as well as other Franklin County facilities and services, hereby necessitating services expansion, facilities improvement and addition; and

WHEREAS, County property taxes are limited to a maximum annual growth rate of one (1) percent or the Implicit Price Deflator (IPD), whichever is lower. In conjunction, the County's costs for staff, personnel benefits, and operations have increased at a rate higher than the local consumer price index. Funds available to the County have decreased while the cost of providing services has increased resulting in the County being unable to generate sufficient revenue to ensure citizen safety and adequately serve an increasing population; and

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WHEREAS, the 2003 Washington State Legislature noted that local governments are presented with significant challenges in funding criminal justice services, and hence provided a legal means by which Counties and Cities could seek local revenues to better protect the health, safety, and welfare of its residents. Said legal means came through the enactment of RCW 82.14.450 authorizing the Franklin County legislative authority to submit a proposition to voters at a primary or general election that would authorize sales and use tax at the rate of three-tenths of one percent (0.003) to be collected throughout Franklin County. Said law requires one-third of such revenue collected be used for "criminal justice purposes," including "...the construction, improvement, and expansion of" existing Franklin County Jail, E-911 Dispatch, Sheriff's Department, and related facilities. RCW 82.14.450(5); RCW 82.14.340(5). All improvements and new construction shall be "basic design;" and

WHEREAS, the expansion, improvement, operation, and maintenance of the County Jail would relieve jail overcrowding therein and amounts to a proper use of revenue for "criminal justice purposes" per RCW 82.14.450(5); and

WHEREAS, other public purposes would be accomplished through expansion, improvement, operation, and maintenance of other county offices, departments, and facilities used by or providing ancillary services to the County Jail; and

WHEREAS, Washington State Law requires the revenue received under this proposal to be shared with sixty (60) percent retained by the County, and the remaining forty (40) percent to be retained and distributed on a per capita basis to the Cities therein and the estimated collection for the County's 60% portion is approximately \$1.7 million per year and the estimated collection for the Cities is approximately \$1.1 million to be distributed on a per capita basis.

WHEREAS, Washington State Law requires for the passage of this proposal a majority of fifty percent (50%) +1, of persons voting at a primary or general election must approve. The next general election is November 8, 2011; and

WHEREAS, Franklin County will conduct a county wide mail-in ballot election at the next general election on November 8, 2011; and

WHEREAS, if the voters approve this proposal on November 8, 2011, the additional sales and use tax will be collected beginning on January 1, 2012, and jurisdictions will begin receiving revenue in February 2012; and

WHEREAS, interest rates are at historic lows, allowing substantial savings on a 30-year bond and construction costs are estimated 15 to 18 percent lower than recent years; and

WHEREAS, it is the judgment of this Board that the citizens of Franklin County should be offered the opportunity to accept or reject a special tax levy of this kind; and

WHEREAS, if approved, the special tax should be levied beginning in 2012 with three-tenths of one percent (0.003) of said tax to be collected for a period of thirty years; now therefore,

BE IT HEREBY RESOLVED BY THE BOARD OF THE COUNTY COMMISSIONERS OF FRANKLIN COUNTY that a county wide mail-in ballot election be held on November 8, 2011, for the purpose of submitting to the affected voters the determination of whether or not to authorize a sales and use tax at the rate of three-tenths of one percent (0.003) for thirty years to be levied beginning in 2012 in the absence of further action by the voters and the proceeds to be shared pursuant to RCW 82.14.450 by the County and Cities therein for the aforementioned purposes; and



IT IS FURTHER RESOLVED that the Franklin County Auditor is hereby requested to place a proposition on the November 8, 2011 ballot in substantially the following form:

PROPOSITION NO. 1

FRANKLIN COUNTY

COUNTY AND CITIES' CRIMINAL JUSTICE AND PUBLIC SAFETY TAX

"The Board of Franklin County Commissioners adopted Resolution No. 2011-281, concerning a proposition for a county and cities' criminal justice sales and use tax. This proposition would authorize the sales and use tax in Franklin County and cities therein be increased three-tenths of one percent (0.003) for thirty years to improve public safety, including criminal gang suppression, and to expand, operate, and maintain the County jail, Pasco Municipal Courts, and the Pasco Police Department, and in support of other criminal justice and public safety purposes. Should this proposition be approved?

Yes.....☐

No.....☐


BE IT FURTHER RESOLVED that the Board of County Commissioners of Franklin County recognizes any resolutions from Cities therein urging support of the local option sales and use tax, which revenue would be allocated pursuant to Chapter 82.14 RCW, with sixty percent going to the County. The remaining forty percent of the revenue shall go to the Cities therein on a per capita basis. The revenue allocation to the Cities for each subsequent year shall be calculated using the final, official June 30th population figures published by the Office of Financial Management; and

BE IT FURTHER RESOLVED that the Clerk of the Board is directed to provide a copy of this resolution to the Franklin County Auditor, and each City therein in Franklin County.

Done this 10 day of August, 2011.

BOARD OF COUNTY COMMISSIONERS
FRANKLIN COUNTY, WASHINGTON


Robert E. Koch, Chairperson


Rick Miller, Chair Pro Tem


Brad Peck, Member

ATTEST:


Clerk of the Board

APPROVED AS TO FORM:

RVB
Ryan E. Verhulp
Deputy Prosecuting Attorney

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